

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Amendment of Section 73.202(b))	MB Docket No. 04-387
Table of Allotments,)	RM-11083
FM Broadcast Stations.)	
(Cedarville, California))	
)	

**REPORT AND ORDER
(Proceeding Terminated)**

Adopted: April 25, 2005

Released: April 27, 2005

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division has before it a *Notice of Proposed Rule Making*¹ issued in response to a petition for rule making filed by Jeffrey Cotton (Petitioner), requesting the allotment of Channel 260A at Cedarville, California, as the community's first local service. Petitioner filed comments, stating his continuing interest in pursuing the allotment, and his intention to apply for a construction permit. No other comments or counterproposals were received.

2. We believe the public interest would be served by allotting Channel 260A at Cedarville, California. Cedarville is a community for allotment purposes, deserving of a first local aural transmission service. Although Cedarville is neither incorporated nor listed in the 2000 U.S. Census, Petitioner has provided statements and documentation demonstrating that Cedarville is a community for allotment purposes. Petitioner states that Cedarville is the largest of four communities located in Surprise Valley with a population of approximately 850 persons, and serves as an economic and social hub for the entire valley. Additionally, Cedarville has a number of local businesses including Cedarville Cafe & Salon, and its own post office and zip code 96104.

3. Channel 260A can be allotted to Cedarville in compliance with the minimum distance separation requirements of the Commission's rules at reference coordinates 41-31-45 North Latitude and 120-10-20 West Longitude located at the center of the community. The Commission will send a copy of this Report and Order in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. Section 801(a)(1)(A).

4. Accordingly, pursuant to the authority found in 47 U.S.C. Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) and 47 C.F.R. Sections 0.61, 0.204(b) and 0.283, IT IS ORDERED, That effective, June 13, 2005, the FM Table of Allotments, 47 C.F.R. Section 73.202(b), IS AMENDED for the community listed below, as follows:

<u>Community</u>	<u>Channel No.</u>
Cedarville, California	260A

¹ Cedarville, California, 19 FCC Rcd 19489 (MB 2004).

5. A filing window period for Channel 260A for Cedarville, California will not be opened at this time. Instead, the issue of opening this allotment for auction will be addressed by the Commission in a subsequent order.

6. IT IS FURTHER ORDERED, That the aforementioned proceeding IS TERMINATED.

7. For further information concerning this proceeding, contact Helen McLean, Media Bureau, (202) 418-2738.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief
Audio Division
Media Bureau